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EXAMINER
KASSA, HILINA S

ART UNIT	PAPER NUMBER
2625	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>07 April 2008</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>51</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>51</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

04/09/2008 has been entered.

Response to Arguments

2.   Applicant's arguments with respect to claim 51 have been considered but are

moot in view of the new ground(s) of rejection. Claims 1-50 are cancelled.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rourke

et al. (US Patent Number 5,995,721) in view of Patton (US Patent Number 7,265,855

B2).

(1) regarding claim 51:

As shown in figure 1, Rourke et al. disclose a method for printing a document

using a computer connected to a plurality of printers (**25, 12-1, 12-N, figure 1; column**

6, lines 45-47, lines 60-64; note that the server computer and the plurality of

printers are connected) comprising:

using a classification program (**35, figure 3; column 7 , lines 20-31; note that**

the job ticket is considered as the classification program since it has information

about the each print document), separating each of the plurality of documents into a

plurality of document pages each having a document page hidden in the page (**column**

9, lines 24-30; note that more or more job portions of a job among one or more

queues based on the attributes of the job is discloses. Also, the attribute

information is associated with an information embedded in an electronic

document i.e. considered as the hidden document), analyzing a document page

data in each of the plurality of document pages to determine a required printer type

(**column 9, lines 27-34; note that the attributes of the document type gets**

analyzed based on the embedded information associated with the document), the

plurality of document pages being from one of the plurality of documents (**figure 7;**

column 9, lines 9-19; note that there are plurality of jobs listed as BWP1-N, FCP1-

N and ACS1-N which represent the plurality of document also refer in column 10,

lines 10-18), separating each of the plurality of document pages into a plurality of print

jobs based on the required printer type for each document page (**column 8, line 65-**

column 9, line 4; note that the documents get queued or organized to the

appropriate printer type), and sending each of the plurality of document pages to a

type of printer based upon the document page data of each page (**column 12, line 62-**

column 13, line 6; note that job gets sent to the appropriate printer type based on

who it is organized in the queue);

responsive to each of the plurality of document pages being printed by an

appropriate printer (**figure 12, column 13, lines 5-10; note that the appropriate**

printer i.e. document processing units 1-N prints the document), reassembling the

document (**column 12, lines 6-10; note that the after the printing the black/white**

and accent black/white prints with one color the print jobs get delivered to the job

integrator in the form of a stream i.e. considered as reassembling the document).

Rourke et al. disclose all of the subject matter as described as above except for

specifically teaching using a prioritization program, prioritizing a plurality of documents

in accordance with a user assigned priority stored in a data hidden in the document;

responsive to a determination by the prioritization program that one of the plurality of

documents is an earliest high priority document, sending the earliest high priority

document to the classification program and instructing the classification program to

suspend printing a currently printing document, and then resume printing the currently

printing document, and when the currently printing document is a high priority

document, to finish printing the currently printing document and then print the earliest

high priority document.

However, Patton teaches prioritizing a plurality of documents in accordance with a user assigned priority stored in a data hidden in the document (**70, figure 2; column 2, line 66-column 3, line 6; note that user could be able to assign priority level and the hidden data in the document is considered as the priority data printing value 70**); responsive to a determination by the prioritization program that one of the plurality of documents is an earliest high priority document (**column 4, lines 27-30; note that the print job manager prioritizes the jobs in accordance with the priority rules and creates job identifier**), sending the earliest high priority document to the classification program and instructing the classification program to suspend printing a currently printing document (**column 5, lines 1-8; note that when the priority flag is set the job that is being printed gets interrupted and the rest of the portion gets saved**), and then resume printing the currently printing document (**column 5, lines 12-25; note that the portion of the interrupted print job gets resumed back to be printed after checking that there is no other priority document**), and when the currently printing document is a high priority document (**column 4, lines 43-46; note that it is determined from the job description that the job has higher priority**), to finish printing the currently printing document and then print the earliest high priority document (**column 4, lines 47-52; note that when job N is received by the printing control system, the print queue gets updated in position for printing after the current pint job is printed**).

Rourke et al. and Patton are combinable because they are from the same field of endeavor i.e. net work printing and processing of data. At the time of the invention, it

would have been obvious to a person of ordinary skilled in the art to use a prioritization

program, prioritizing a plurality of documents in accordance with a user assigned priority

stored in a data hidden in the document; responsive to a determination by the

prioritization program that one of the plurality of documents is an earliest high priority

document, sending the earliest high priority document to the classification program and

instructing the classification program to suspend printing a currently printing document,

and then resume printing the currently printing document, and when the currently

printing document is a high priority document, to finish printing the currently printing

document and then print the earliest high priority document . The suggestion/motivation

for doing so would have been to easily manage and organize the system and to have a

reliable system which permits job interruption when priority is desired without manually

finishing the interrupted job (column 2, lines 23-25). Therefore, it would have been

obvious to combine Rourke et al. with Patton to obtain the invention as specified in

claim 51.

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

   Kawakami (US Patent Number 6,433,884) discloses an apparatus for

determining priority of print jobs in a printer system.

6.   Any inquiry concerning this communication or earlier communication from the examiner should be directed to Hilina Kassa whose telephone number is (571) 270-1676.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore could be reached at (571) 272- 7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see http://pari-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hilina S Kassa/

Examiner, Art Unit 2625

April 24, 2008

/Mark K Zimmerman/

Supervisory Patent Examiner, Art Unit 2625